

evaluated. The pesticide is considered useful for the purpose for which the tolerances are sought. Based on the data submitted, there are expectations of residues occurring in eggs, milk, meat, fat and meat byproducts of livestock. However, the tolerances being established are adequate and will cover residues which could occur in these items.

The toxicology data considered in support of the tolerances included a 2-year dog feeding study with a no-observed-effect level (NOEL) of 100 ppm; a 2-year rat feeding study with a NOEL of 80 ppm and no significant oncogenic effect; a rabbit teratology study with a NOEL 15 mg/kg/day; a 3-generation reproduction study in rats with a NOEL of 80 ppm. Also considered as supplementary information were a rat teratology study with a NOEL of 100 mg/kg/day and a mouse oncogenicity study. The mouse study showed no significant oncogenic effects that could be conclusively attributed to the fungicide. Based on the dog feeding study, the NOEL is 100 ppm or 2.5 mg/kg of body weight (bw). Using a 100 fold safety factor, the acceptable daily intake (ADI) is 0.025 mg/kg/bw/day and the maximum permissible intake (MPI) is 1.5 mg/day for a 60-kg person. The proposed and established tolerances will result in a maximum theoretical exposure of 4.28 percent of the ADI.

No actions are currently pending against the continued registration of 5-ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole. The nature of the residues is adequately understood and an adequate analytical method for determining residues of the fungicide, gas chromatography with an electron capture detector, is available for enforcement purposes. It is concluded that the tolerances will protect the public health, and are established as set forth below.

Any person adversely affected by this regulation may, on or before December 3, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-

received in response to the notice of filing.

The data submitted in the petition and other relevant material have been 534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Raw agricultural commodities, Pesticides and pests.

Dated: October 21, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR 180.370 is revised to read as follows:

§ 180.370 5-Ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole; tolerances for residues.

Tolerances are established for residues of the fungicide 5-ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole and its monoacid metabolite 3-carboxy-5-ethoxy-1,2,4-thiadiazole in or on the following raw agricultural commodities:

Commodities	Parts per million
Avocados	0.15
Cattle, fat	.10
Cattle, mby	.10
Cattle, meat	.10
Corn, field, grain	.05
Corn, fodder	.10
Corn, forage	.10
Cottonseed	.20
Eggs	.05
Goats, fat	.10
Goats, mby	.10
Goats, meat	.10
Hogs, fat	.10
Hogs, mby	.10
Hogs, meat	.10
Horses, fat	.10
Horses, mby	.10
Horses, meat	.10
Milk	.05
Poultry, fat	.10
Poultry, mby	.10
Poultry, meat	.10
Sheep, fat	.10
Sheep, mby	.10
Sheep, meat	.10
Strawberries	.20
Wheat, forage	.10
Wheat, grain	.05
Wheat, straw	.10

[FR Doc. 82-29960 Filed 11-2-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PH-FRL 2237-3; OPP-300066A]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Ethoxylated Lignosulfonic Acid, Sodium Salt

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule exempts ethoxylated lignosulfonic acid, sodium salt from the requirement of a tolerance when used as an inert ingredient in pesticide formulations. This regulation was requested by Westvaco.

EFFECTIVE DATE: Effective on November 3, 1982.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Roland Blood, Process Coordination Branch (TS-767C), Registration Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 716D, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202. (703-557-7700).

SUPPLEMENTARY INFORMATION: EPA issued a notice of proposed rulemaking published in the Federal Register of September 22, 1982 (47 FR 41769), which announced that at the request of Westvaco, Chemical Division, PO Box 70848, Charleston Heights, SC 29405, the Administrator proposed to amend 40 CFR 180.1001 (c) by establishing an exemption from the requirement of a tolerance for ethoxylated lignosulfonic acid, sodium salt when used as inert ingredient in pesticide formulations.

There were no comments or requests for referral to an advisory committee received in response to the proposed rulemaking.

The bases for establishing the exemption were discussed in the notice of proposed rulemaking. The pesticide is considered useful for the purpose for which the exemption is sought. It is concluded that the exemption will protect the public health and is established as set forth below.

Any person adversely affected by this regulation may, on or before December 3, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the

objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Raw agricultural commodities, Pesticides and pests.

Dated: October 23, 1982.

Edwin L. Johnson,
Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR 180.1001(c) is amended by adding and alphabetically inserting ethoxylated lignosulfonic acid, sodium salt to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

(c) * * *

Inert ingredients	Limits	Uses
Ethoxylated lignosulfonic acid, sodium salt.		Surfactant.

[FR Doc. 82-29981 11-2-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PH-FRL 2236-5; OPP-300067A]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Secondary Alkyl (C₁₁-C₁₅) Poly (Oxyethylene) Acetate, Sodium Salt

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule exempts secondary alkyl (C₁₁-C₁₅) poly (oxyethylene) acetate, sodium salt from the requirement of a tolerance when used as inert ingredient in pesticide formulations. This regulation was requested by Sandoz, Colors and Chemicals.

EFFECTIVE DATE: Effective on November 3, 1982.

ADDRESS: Written objections may be submitted to the Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Peter Gray, Process Coordination Branch (TS-767C), Registration Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 716D, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202. (703-557-7700)

SUPPLEMENTARY INFORMATION: The EPA issued a notice of proposed rulemaking published in the *Federal Register* of September 29, 1982 (47 FR 42671) which announced that at the request of the Sandoz, Colors and Chemicals, the Administrator proposed to amend 40 CFR 180.1001 (c) and (e) by establishing exemptions from the requirement of a tolerance for secondary alkyl (C₁₁-C₁₅) poly (oxyethylene) acetate, sodium salt; the ethylene oxide content averages 5 moles.

There were no comments or requests for referral to an advisory committee received in response to the notice of filing.

The basis for establishing the exemption were discussed in the notice of proposed rulemaking. The pesticide is considered useful for the purpose for which the exemption is sought. It is concluded that the exemption will protect the public health and is established as set forth below.

Any person adversely affected by this regulation may, on or before December 3, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Raw agricultural commodities, Pesticides and pests.

Dated: October 19, 1982.

Edwin L. Johnson,
Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR 180.1001 is amended by adding and alphabetically inserting the inert ingredient secondary alkyl (C₁₁-C₁₅) poly (oxyethylene) acetate, sodium salt to the tables in paragraphs (c) and (e) to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

(c) * * *

Inert Ingredients	Limits	Uses
Secondary alkyl (C ₁₁ -C ₁₅) poly (oxyethylene) acetate, sodium salt; the ethylene oxide content averages 5 moles.		Surfactant

(e) * * *

Inert Ingredients	Limits	Uses
Secondary alkyl (C ₁₁ -C ₁₅) poly (oxyethylene) acetate, sodium salt; the ethylene oxide content averages 5 moles.		Surfactant

[FR Doc. 82-29978 Filed 11-2-82; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 405

Medicare Program; Assistants at Surgery

Correction

In FR Doc. 82-27148, beginning on page 43650 in the issue of Friday, October 1, 1982, the first line of § 405.580(c)(1) on page 43654 should read, "(1) Are required due to exceptional".

BILLING CODE 1505-01-M

42 CFR Part 405

Medicare Program; Treatment of Cost of Uncompensated Services Furnished in Fulfillment of a Hill-Burton Free Care Obligation*Correction*

In FR Doc. 82-27224, beginning on page 43656 in the issue of Friday, October 1, 1982, the following change should be made:

The line immediately preceding Secretary Schweiker's signature in the third column of page 43658 should read,

"Approved: September 23, 1982".

BILLING CODE 1505-01-M

42 CFR Parts 433 and 435

Medicaid Program; Liens, Adjustments, and Recoveries*Correction*

In FR Doc. 82-27147, beginning on page 43644 in the issue of Friday, October 1, 1982, the following changes should be made:

1. On page 43646, the thirteenth line of the first complete paragraph in the first column should read, "procedures, and by whom and on what".

2. On page 43647, in § 433.36(g)(2), in the third column of the page, the third paragraph now designated "(1)" should have been designated "(f)".

3. On page 43648, the fourth line of § 435.122, in column two, should read, "supplements, it must provide Medicaid".

BILLING CODE 1505-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

[43rd Rev. S.O. 1473]

Various Railroads Authorized To Use Tracks and/or Facilities of the Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee)

AGENCY: Interstate Commerce Commission.

ACTION: Forty-third Revised Service Order No. 1473.

SUMMARY: Pursuant to Section 122 of the Rock Island Railroad Transition and Employee Assistance Act, Public Law 96-254, this order authorizes various railroads to provide interim service over the Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee), and to use such

tracks and facilities as are necessary for operations. This order permits carriers to continue to provide service to shippers which would otherwise be deprived of essential rail transportation.

DATES: Effective 11:59 p.m., October 31, 1982, and continuing in effect until 11:59 p.m., January 31, 1983, unless otherwise modified, amended or vacated by order of this Commission.

FOR FURTHER INFORMATION CONTACT: M. F. Clemens, Jr. (202) 275-1559.

SUPPLEMENTARY INFORMATION:

Decided October 27, 1982.

Pursuant to Section 122 of the Rock Island Railroad Transition and Employee Assistance Act, Public Law 96-254 (RITEA), the Commission is authorizing various railroads to provide interim service over Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee), (RI) and to use such tracks and facilities as are necessary for those operations.

In view of the urgent need for continued rail service over RI's lines pending the implementation of long-range solutions, this order permits carriers to provide service to shippers which may otherwise be deprived of essential rail transportation.

Appendix A, to the previous order, is revised by deleting at Items 1, 8.D., 21, 22, 23, B. C. D. and E., and 26.C., the authorities of carriers operating portions of the 650 mile line segment between Salina, Kansas and Dallas, Texas, and which was acquired from the Rock Island on October 21, 1982. This line will be operated by the Oklahoma, Kansas and Texas Railroad Company (OKT) effective November 1, 1982, under authority of Finance Docket No. 29923. All interim operators have been ordered, by Order No. 513 of the Bankruptcy Court, to cease as of 11:59 p.m., October 31, 1982, their use and occupancy of the Trustee's railroad properties encompassed in the OKT Transition. Appendix B, incorporated by reference in the previous order and last printed in Thirteenth Revised Service Order No. 1473, is also revised by deleting line segments 28, 31, 33, and 35, and by revising line segments 29 and 30 to remove the reference to dispatching.

All remaining items in both appendices are renumbered accordingly.

It has been brought to the attention of the Board that, in certain cases, payment of compensation to the Trustee for the use of Rock Island property is in arrears. All interim operators are reminded that compensation, whether determined by lease, agreement, or the Rock Island Formula, is a requirement of this order and should remain current.

It is the opinion of the Commission that an emergency exists requiring that the railroads listed in the named appendices be authorized to conduct operations using RI tracks and/or facilities; that notice and public procedure are impracticable and contrary to the public interest; and good cause exists for making this order effective upon less than thirty day notice.

It is ordered,

§ 1033.1473 Service Order 1473.

(a) Various railroads authorized to use tracks and/or facilities of the Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee). Various railroads are authorized to use tracks and/or facilities of the Chicago, Rock Island and Pacific Railroad Company (RI), as listed in Appendix A to this order, in order to provide interim service over the RI; and as listed in Appendix B to this order, to provide for continuation of joint or common use facility agreements essential to the operations of these carriers as previously authorized in Service Order No. 1435.

(b) The Trustee shall permit the affected carriers to enter upon the property of the RI to conduct service as authorized in paragraph (a).

(c) The Trustee will be compensated on terms established between the Trustee and the affected carrier(s); or upon failure of the parties to agree as hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by Section 122(a) Public Law 96-254.

(d) Interim operators, authorized in Appendix A to this order, shall, within fifteen (15) days of its effective date, notify the Railroad Service Board of the date on which interim operations were commenced or the expected commencement date of those operations. Termination of interim operations will require at least (30) thirty days notice to the Railroad Service Board and affected shippers.

(e) Interim operators, authorized in Appendix A to this order, shall, within thirty days of commencing operations under authority of this order, notify the RI Trustee of those facilities they believe are necessary or reasonably related to the authorized operations.

(f) During the period of the operations over the RI lines authorized in paragraph (a), operators shall be responsible for preserving the value of the lines, associated with each operation, to the RI estate, and for performing necessary maintenance to

avoid undue deterioration of lines and associated facilities.

1. In those instances where more than one railroad is involved in the joint use of RI tracks and/or facilities described in Appendix B, one of the affected carriers will perform the maintenance and have supervision over the operations in behalf of all the carriers as may be agreed to among themselves, or in the absence of such agreement, as may be decided by the Commission.

(g) Any operational or other difficulty associated with the authorized operations shall be resolved through agreement between the affected parties or, failing agreement, by the Commission's Railroad Service Board.

(h) Any rehabilitation, operational, or other costs related to authorized operations shall be the sole responsibility of the interim operator incurring the costs, and shall not in any way be deemed a liability of the United States Government.

(i) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign traffic.

(j) *Rate applicable.* Inasmuch as the operations described in Appendix A by interim operators over tracks previously operated by the RI are deemed to be due to carrier's disability, the rates applicable to traffic moved over these lines shall be the rates applicable to traffic routed to, from, or via these lines which were formerly in effect on such traffic when routed via RI, until tariffs naming rates and routes specifically applicable become effective.

(k) In transporting traffic over these lines, all interim operators described in Appendix A shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to that traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between the carriers; or upon failure of the carriers to so agree, the divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commission Act.

(l) To the maximum extent practicable, carriers providing service under this order shall use the employees who normally would have performed the work in connection with traffic moving over the lines subject to this Order.

(m) *Effective date.* This order shall become effective at 11:59 p.m., October 31, 1982.

(n) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 31, 1983, unless otherwise

modified, amended, or vacated by order of this Commission.

This action is taken under the authority of 49 U.S.C. 10304, 10305, and Section 122, Public Law 96-254.

This order shall be served upon the Association of American Railroads, Transportation Division, as agent of the railroads subscribing to the car service and care hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. Notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

List of Subjects in 49 CFR Part 1033

Railroads.

By the Commission, Railroad Service Board, members J. Warren McFarland, Bernard Gaillard, and John H. O'Brien.

Agatha L. Mergenovich,
Secretary.

Appendix A

RI Lines Authorized To Be Operated by Interim Operators

1. Peoria and Pekin Union Railway Company (PPU):

A. All Peoria Terminal Railroad property on the east side of the Illinois River, located within the city limits of Pekin, Illinois.

B. Mossville, Illinois (milepost 148.23) to Peoria, Illinois (milepost 161.0) including the Keller Branch (milepost 1.55 to 6.15).

2. Union Pacific Railroad Company (UP):

A. Beatrice, Nebraska.

B. Approximately 36.5 miles of trackage extending from Fairbury, Nebraska, to RI Milepost 581.5 north of Hallam, Nebraska.

3. Toledo, Peoria and Western Railroad Company (TPW):

A. Peoria Terminal Company trackage from Hollis to Iowa Junction, Illinois.

4. Chicago and North Western Transportation Company (CNW):

A. From Minneapolis-St. Paul, Minnesota, to Kansas City, Missouri.

B. From Rock Junction (milepost 5.2) to Inver Grove, Minnesota (milepost 0).

C. From Inver Grove (milepost 344.7) to Northwood, Minnesota.

D. From Clear Lake Junction (milepost 191.1) to Short Line Junction, Iowa (milepost 73.6).

E. From East Des Moines, Iowa (milepost 350.8) to West Des Moines, Iowa (milepost 364.34).

F. From Short Line Junction (milepost 73.6) to Carlisle, Iowa (milepost 64.7).

G. From Carlisle (milepost 64.7) to Allerton, Iowa (milepost 0).

H. From Allerton, Iowa (milepost 363) to Trenton, Missouri (milepost 415.9).

I. From Trenton (milepost 415.9) to Air Line Junction, Missouri (milepost 502.2).

J. From Iowa Falls (milepost 97.4) to Estherville, Iowa (milepost 206.9).

K. From Briceville, Minnesota (milepost 57.7) to Ocheyedan, Iowa (milepost 246.7).

L. From Palmer (milepost 454.5) to Royal, Iowa (milepost 502).

M. From Dows (milepost 113.4) to Forest City, Iowa (milepost 158.2).

N. From Cedar Rapids (milepost 100.5) to Cedar River Bridge, Iowa (milepost 96.2) and to serve all industry formerly served by the RI at Cedar Rapids.

O. At Sibley, Iowa.

P. At Hartley, Iowa.

Q. From Carlisle to Indianola, Iowa.

R. At Omaha, Nebraska (between milepost 502 to milepost 504).

S. Peoria Terminal Company trackage from Iowa Junction (RI milepost 164.32/PTC milepost .91) through Hollis, Illinois to the Illinois River bridge (milepost 7.40).

5. Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW):

A. From Newport, Minnesota to a point near the east bank of the Mississippi River, sufficient to serve Northwest Oil Refinery, at St. Paul Park, Minnesota.

B. From Davenport (milepost 182.35) to Iowa City, Iowa (milepost 237.01).

6. St. Louis Southwestern Railway Company (SSW):

A. From Brinkley to Briark, Arkansas, and at Stuttgart, Arkansas.

B. At North Topeka and Topeka, Kansas.

*7. Missouri Pacific Railroad Company (MP):

A. From Little Rock, Arkansas (milepost 135.2) to Hazen, Arkansas (milepost 91.5).

B. From Little Rock, Arkansas (milepost 135.2) to Pulaski, Arkansas (milepost 141.0).

C. From Hot Springs Junction (milepost 0.0) to and including Rock Island (milepost 4.7.)

8. Norfolk and Western Railway Company (NW): is authorized to operate over tracks of the Chicago, Rock Island and Pacific Railroad Company running southerly from Pullman Junction, Chicago, Illinois, along the western shore of Lake Calumet approximately four plus miles to the point, approximately 2,500 feet beyond the railroad bridge over the Calumet Expressway, at which point the RI track connects to Chicago Regional Port District track, for the purpose of serving industries located adjacent to such tracks. Any trackage rights arrangements which existed between the Chicago, Rock Island and Pacific Railroad Company and other carriers, and which extend to the Chicago Regional Port District Lake Calumet Harbor, West Side, will be continued so that shippers at the port can have NW rates and routes regardless of which carrier performs switching services.

9. Cadillac and Lake City Railway Company (CLK):

A. From Sandown Junction (milepost 0.1) to and including junction with DRGW Belt Line (milepost 2.7) all in the vicinity of Denver, Colorado, a distance of approximately 6.6 miles.

B. From Colorado Springs (milepost 609.1) to and including all rail facilities at Colorado Springs and Roswell, Colorado (milepost 602.8), all in the vicinity of Colorado Springs, Colorado, and Eastward from Colorado Springs to Falcon, Colorado (milepost 590.3), a total distance of approximately 25.1 miles.

C. From Simla, Colorado (milepost 558.3) to Colby, Kansas (milepost 387.0), a distance of approximately 171.3 miles.

D. Rock Island trackage rights over Union Pacific Railroad Company between Limon and Denver, Colorado, a distance of approximately 83.8 miles.

10. Baltimore and Ohio Railroad Company (BO):

A. From Blue Island, Illinois (milepost 15.7) to Bureau, Illinois (milepost 114.2), a distance of 98.5 miles.

B. From Bureau, Illinois (milepost 114.12) to Henry, Illinois (milepost 126.94) a distance of approximately 12.8 miles.

11. Keota Washington Transportation Company (KWTR):

A. From Keota to Washington, Iowa; to effect interchange with the Chicago, Milwaukee, St. Paul and Pacific Railroad Company at Washington, Iowa, and to serve any industries on the former RI which are not being served presently.

B. At Vinton, Iowa (milepost 120.0 to 123.0).

C. From Vinton Junction, Iowa (milepost 23.4) to Iowa Falls, Iowa (milepost 97.4).

12. The La Salle and Bureau County Railroad Company (LSBC):

A. From Chicago (milepost 0.60) to Blue Island, Illinois (milepost 16.61), and yard tracks 6, 9 and 10; and crossover 115 to effect interchange at Blue Island, Illinois.

B. From Western Avenue (Subdivision 1A, milepost 16.6) to 119th Street (Subdivision 1A, milepost 14.8), at Blue Island, Illinois.

C. From Gresham (subdivision 1, milepost 10.0) to South Chicago (subdivision 1B, milepost 14.5) at Chicago, Illinois.

D. From Pullman Junction, Chicago, Illinois, (milepost 13.2) running southerly to the entrance of the Chicago International Port, a distance of approximately five miles, for the purpose of bridge rights and to effect interchange at the Kensington and Eastern Yard.

13. The Atchison, Topeka and Santa Fe Railway Company (ATSF):

A. At Alva, Oklahoma.

B. At St. Joseph, Missouri.

14. The Brandon Corporation (BRAN):

A. From Clay Center, Kansas (milepost 178.37), to Manhattan, Kansas (milepost 143.0), a distance of approximately 35 miles.

15. Iowa Northern Railroad Company (IANR):

A. From Cedar Rapids, Iowa (milepost 100.5), to Manly, Iowa, (milepost 225.1)

B. At Vinton, Iowa, and west on the Iowa Falls Line to milepost 24.3.

16. Iowa Railroad Company (IRRC):

A. From Council Bluffs (milepost 490.15) to West Des Moines, Iowa (milepost 364.34) a distance of approximately 126.81 miles.

B. From Audubon Junction (milepost 440.7) to Audubon, Iowa (milepost 465.1) a distance of approximately 24.4 miles.

C. From Hancock, Iowa (milepost 6.4) to Oakland, Iowa (milepost 12.3) a distance of approximately 5.9 miles.

D. Overhead rights from West Des Moines, Iowa (milepost 364.34) to East Des Moines, Iowa (milepost 350.8). (This trackage is currently leased to the CNW, see Item 5.E.)

E. From East Des Moines, Iowa (milepost 350.8) to Iowa City, Iowa (milepost 237.01) a distance of 113.79 miles.

F. Overhead rights from Iowa City, Iowa (milepost 237.01) to Davenport, Iowa (milepost 182.35), including interchange with the Cedar Rapids and Iowa City Railway. (This trackage is currently leased to the MILW, see Item 6.D.)

G. From Bureau, Illinois (milepost 114.2) to Davenport, Iowa (milepost 182.35)

H. From Rock Island, Illinois through Milan, Illinois, to a point west of Milan sufficient to serve the Rock Island Industrial Complex.

I. At Rock Island, Illinois including 26th Street Yard.

J. From Altoona to Pella, Iowa.

17. Missouri-Kansas-Texas Railroad Company (MKT):

A. From Oklahoma City, Oklahoma (milepost 496.4) to McAlester, Oklahoma (milepost 365.0), a distance of approximately 131.4 miles.

18. Chicago Short Line Railway Company (CSL):

A. From Pullman Junction easterly for approximately 1000 feet to serve Clear-View Plastics, Inc., all in the vicinity of the Calumet switching district.

B. From Rock Island Junction westerly for approximately 3000 feet to Irondale Wye.

19. Kyle Railroad Company (Kyle):

A. From Belleville (milepost 187.0) to Caruso, Kansas (milepost 430.0), a distance of approximately 243 miles. KYLE will be responsible for the maintenance of the jointly used track between Colby and Caruso as mutually agreed upon with CLK, and for coordinating operations.

B. From Belleville (milepost 187.0) to Mahaska, Kansas (milepost 170.0) a distance of approximately 17 miles.

C. From Belleville (milepost 225.34) to Clay Center, Kansas (milepost 178.37) a distance of approximately 47 miles.

***20. North Central Oklahoma Railway, Inc. (NCOK):**

A. From Mangum, Oklahoma (milepost 97.2) to Anadarko, Oklahoma (milepost 18.0).

***21. South Central Arkansas Railway, Inc. (SCAR):**

A. From El Dorado, Arkansas (milepost 99) to Ruston, Louisiana (milepost 154.77).

***22. Burlington Northern Railroad**

Company (BN): A. At Burlington, Iowa (milepost 0 to milepost 2.06). B. At Okeene, Oklahoma.

***23. Fort Worth and Denver Railway**

Company (FWD): A. From Amarillo to Bushland, Texas, including terminal trackage at Amarillo, and approximately three (3) miles northerly along the old Liberal Line. B. At North Fort Worth, Texas (milepost 603.0 to 611.4).

24. Omaha, Lincoln and Beatrice Railway Company (OLB): A. At Lincoln, Nebraska (milepost 559.16) to (milepost 560.83).

Note.—In the interest of operational clarity and efficiency, and considering OLB's lease with the Trustee, OLB will be the supervising carrier for operations and maintenance for the above segment to be operated jointly with COE.

25. Colorado and Eastern Railway

Company (COE): A. At Lincoln, Nebraska (milepost 558.0) to (milepost 562.0) a distance of approximately 4.0 miles. (This authority is joint with OLB between mileposts 559.16 and 560.83, see Item 27, Note).

*Changed.

APPENDIX B

Line No.	Location to be operated	Railroads using	Rock Island functions to be performed
1.....	Rock Island Jct., IL. switches	CO/BO, CWPS, CR, CSL	Track maintenance.
2.....	To ICG connection Cottage Ave., Chicago, IL.	CWPS	Track maintenance.
3.....	Irondale Branch, Chicago, IL.	CWPS, CR	Track maintenance.
4.....	Chicago, IL. Regional Port, District Lake, Calumet Harbor, West Side.	ICG, CR, CSSB	Track maintenance.
5.....	Chicago (LaSalle St. Station) Joliet, IL.	RTA	Dispatching performed at Des Moines, IA (Suburban train operation).
5a.....	Joliet, IL—16th and Clark Streets	ICG, RTA	Interlocking Towers.
6.....	Moline-East Moline, IL, crossing signals.	BN DRINW	Highway crossing signal maintenance.
7.....	Rock Island, IL—28th Street	BN	Switchtender handles crossing and BN switches.
8.....	West Davenport-Muscatine, IA	MILW	Track and signal maintenance dispatching performed at Des Moines, IA, which controls entry switch at West Davenport (Automatic Block Signal).
9.....	Burlington-Medapolis, IA	BN	Track maintenance dispatching performed at Des Moines. Highway crossing signals maintenance on BN trackage.
10.....	Eddyville-Beacon, IA	CNW	Track maintenance.
11.....	Cedar Rapids, IA—4th Street trackage.	ICG	Track maintenance.
12.....	Cedar Rapids, IA—9th Avenue crossing.	CNW	Control of CNW-RI crossing and highway crossing signal maintenance.
13.....	Waterloo, IA—McKinley Street crossing signals.	CNW	Highway crossing signal maintenance.
14.....	Iowa Jct.-Hollis, IL (Peoria Termi. Co.).	TPW	Track maintenance; dispatching performed by Peoria yardmaster.

APPENDIX B—Continued

15	Des Moines (Easton Blvd.) West Des Moines, IA	CNW	Track and signal maintenance; operate and maintain RI and CNW tracks; signals-switches controlled at Short Line Tower (Automatic Block Signal).
16	Almena Jct.-CB&Q Jct. KS (Oronoke)	BN	Track maintenance; dispatching performed at Des Moines, IA; hand thrown switches; (Automatic Block Signal).
17	Colorado Springs-Roswell Industrial District, CO	ATSF	Track maintenance.
18	Council Bluffs, IA—6th, 7th, 8th St. crossing signals	BN	Highway crossing signal maintenance.
18a	Council Bluffs, IA, vicinity BN of 14th Street	BN	Diamond crossing maintenance. Interlocking plant maintenance and operation.
19	Albert Lea-Glenville, MN	CNW-ICG	Track and signal maintenance; dispatching performed at Des Moines, IA which controls CTC.
20	Glenville-MN Manly, IA	CNW	Operator at Manly.
21	Inver Grove-South St. Paul, MN	CNW, SOO	Track and signal maintenance; dispatching performed at Des Moines, IA which controls CTC.
22	Limon, CO	UP	Operator.
23	Polo-Airline Jct., MO	MILW	Track and signal maintenance; dispatching performed at Des Moines, IA which controls CTC from Polo to Birmingham. (Birmingham to Airline Jct. CTC controlled by MILW at Truman Bridge under RI dispatcher's direction.)
24	Atchison, KS-St. Joseph, MO	ATFS	Track and signal maintenance; dispatching performed at El Reno, OK.
25	Wathena-Troy, KS	UP	Track and signal maintenance; dispatching at El Reno, OK.
26	Herington, KS-MP crossing interlocking.	MP	Interlocking controlled by RI operator (cannot be lined for MP and left unattended—signalling on MP cleared directionally).
27	Dodge City, KS	ATSF	Between Dodge City and ATSF Jct. over Arkansas River bridge track and bridge maintenance only (Line not in service at present).
28	McAllester-Shawnee, OK	MKT	Track and signal maintenance.
29	Sawnee-Oklahoma City, OK	ATSF-MKT	Track and signal maintenance.
30	Malvern-Hot Spring, AR	MP	Dispatching performed at El Reno, OK.
31	Dallas, TX Right of District (formerly Dallas Union Terminal)	MP, MKT, FWD, ATSF, SP, SSW, SLSF	Track and signal maintenance; maintain and control operation from towers. Supervision and maintenance to be provided by Missouri Pacific Railroad Company.
32	Sagnaw, TX	FWD, ATSF	Track and signal maintenance; interlocking controls, switches, and signals.
33	Memphis, TN, Section "A" track-age (1,460 feet) owned by LN.	ICG, LN, SOU	Track maintenance.
34	Briar-West Memphis, AR	SSW-MP	Track and signal maintenance; dispatching performed at El Reno, OK. CTC controlled from Kentucky St.
35	West Memphis-Brinkley, AR	SSW	Track and signal maintenance; dispatching performed at El Reno, OK. ABS—Block signals operator at Brinkley.
36	Irving-Carrollton, TX	SLSF	Maintenance, dispatching (all functions performed by SLSF at present).
37	Iowa Falls, IA	ICG	Interlocking towers.
38	Rock Island Junction, AR to Hermitage, AR	WSR	Maintenance.
39	Thompson, NE	BN	Diamond crossing maintenance.
40	Beatrice, NE	BN	Diamond crossing maintenance.
41	Centerville, IA	BN	Interlocking plant maintenance and operation.
42	La Salle, IL	BN	Diamond crossing maintenance.
43	Ottawa, IL	BN	Interlocking plant maintenance.
44	Colona, IL	BN	Interlocking plant maintenance.
45	St. Joseph, Mo.	BN	Diamond crossing maintenance.

Proposed Rules

Federal Register

Vol. 47, No. 213

Wednesday, November 3, 1982

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

SMALL BUSINESS ADMINISTRATION

13 CFR Part 113

Nondiscrimination in Federally Assisted Programs of SBA; Effectuation of Policies of Federal Government and SBA

AGENCY: Small Business Administration.
ACTION: Proposed rule.

SUMMARY: In accordance with the requirement of 28 CFR 42.403(d) and in effectuation of Federal Government and Small Business Administration policies against discrimination, the Small Business Administration proposes to revise Appendix A to Part 113 by updating its listing of programs that receive Federal financial assistance and to include all nonfinancial programs. In addition, it is necessary to amend the definition of "financial assistance" to coincide with the definition which appears at 28 CFR 42.102(c). The proposed rule amending Appendix A which was published in the *Federal Register* on May 19, 1982, is withdrawn, (47 FR 21554).

DATES: Comments on this proposed rule must be received by December 3, 1982.

ADDRESSES: Send comments to: Office of Civil Rights Compliance, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Adelino Sanchez, Chief (202) 653-6579.

SUPPLEMENTARY INFORMATION: Part 112 of this Chapter, issued pursuant to Title VI of the Civil Rights Act of 1964, prohibits discrimination on the basis of race, color, or national origin by some recipients of financial assistance from the Small Business Administration. The purpose of Part 113 is to reflect to the fullest extent possible the nondiscrimination policies of the Federal government as expressed in the several statutes, Executive Orders, and messages of the President dealing with civil rights and equality of opportunity, and in the previous determination of the Administrator of SBA that

discrimination based on race, color, religion, sex, marital status, handicap or national origin shall be prohibited to the extent that it is not prohibited by Part 112 of this Chapter, to all recipients of financial assistance from SBA. The Agency is proposing to amend Part 113 of this Chapter to include the definition of "financial assistance" as it appears in § 42.102(c) of Title 28 of Code of Federal Regulations. That subsection defines the term "financial assistance" to include (1) grants and loans of federal funds, (2) the grant or donation of Federal property and interests in property, (3) the detail of Federal personnel, (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and (5) any financial agreement, arrangement, or other contract which has as one of its purposes the provision of assistance. In addition, § 42.103(d) of Title 28 of the Code of Federal Regulations requires each Federal agency to supplement its Title VI regulation with an appendix listing the types of Federal financial assistance and to periodically update such appendix in the Federal Register. Accordingly, the Agency is proposing to amend Appendix A of Part 113 of Title 13 of the Code of Federal Regulations to include a listing of all of its financial and nonfinancial assistance programs.

SBA hereby certifies that this rule, if promulgated in final form, will not constitute a major rule for the purposes of Executive Order 12291. In addition, for purposes of the Regulatory Flexibility Act, this rule will not have a significant economic impact on a substantial number of small entities. The rule constitutes a nonsubstantive procedural change, and by its terms will not significantly affect the administration of any of SBA's financial assistance programs.

List of Subjects in 13 CFR Part 113

Aged, Civil rights, Handicapped, Loan programs/business, Marital status discrimination, Religious discrimination, Sex discrimination, Small businesses.

PART 113—[AMENDED]

Accordingly, pursuant to the authority contained in section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), Part 113, Chapter I, Title 13 of the Code of Federal Regulations, would be amended as follows:

1. Section 113.2(b) would be revised to read as follows:

§ 113.2 [Amended]

(a) The term "financial assistance" includes (1) grants and loans of Federal funds, (2) the grant or donation of Federal property and interests in property, (3) the detail of Federal personnel, (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and (5) any financial agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

2. Appendix A of Part 113 of Title 13 of the Code of Federal Regulations would be revised to read as follows:

APPENDIX A

Name of program	Authority
Business Loans.....	Small Business Act, section 7(a).
Debtor State development companies (501) and their small business concerns..	Small Business Investment Act, Title V.
Debtor local development companies (502) and their small business concerns..	Small Business Investment Act, Title V.
Debtor certified development companies (503) and their small business concerns..	Small Business Investment Act, Title V.
Debtor small business investment companies and their small business concerns..	Small Business Investment Act, Title III.
Pollution Control.....	Small Business Investment Act, Title IV, Part A.
Surety Bond Guarantees.....	Small Business Investment Act, Title IV, Part B.
Disaster loans:	
Physical, including riot.....	Small Business Act, section 7(b)(1).
Economic Injury (EIDL).....	Small Business Act, section 7(b)(2).
Federal Action Loan Program.	Small Business Act, section 7(b)(3). (No funds have been authorized for this program for FY 1982 thru FY 1984.)
Women's Business Enterprise.	Executive Order 12138.
Procurement Automated Source System.	Small Business Act, section 8.
Business Development Program.	Small Business Act, section 8(a).

APPENDIX A—Continued

Name of program	Authority
Subcontracting Program	Small Business Act, section 8(d)
Small Business Institute	Small Business Act, section 8(b)(1)
Certificate of Competency	Small Business Act, section 8(b)(7)
Technology Assistance Program	Small Business Act, section 9
Small Business Development Centers	Small Business Act, section 21
International Trade Program	Small Business Act, section 22
Technical and Management Assistance	Small Business Act, section 7(j)
Service Corps of Retired Executives and Active Corps of Executives	Small Business Act, section 8(b)(1)

(Catalog of Federal Domestic Assistance Programs No. 59.001 through 59.031.)

Dated: October 19, 1982.

James C. Sanders,
Administrator.

[FR Doc. 82-29733 Filed 11-2-82; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

18 CFR Part 271

[Docket No. RM79-76-141 (Texas-24)]

High-Cost Gas Produced From Tight
Formations; Proposed Rulemaking

AGENCY: Federal Energy Regulatory
Commission, DOE.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This Notice of Proposed Rulemaking by the Director of the Office of Pipeline and Producer Regulation contains the recommendation of the Railroad Commission of Texas that the Garza Sand be designated as a tight formation under § 271.703(d).

DATE: Comments on the proposed rule are due on December 13, 1982.

Public hearing: No public hearing is scheduled in this docket as yet. Written requests for a public hearing are due on November 12, 1982.

ADDRESS: Comments and requests for hearing must be filed with the Office of the Secretary, 825 North Capitol Street, NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357-8511, or Walter W. Lawson, (202) 357-8556.

SUPPLEMENTARY INFORMATION:

In the matter of high-cost Gas produced from tight formations; Docket No. RM79-76-141 (Texas-24).

**Notice of Proposed Rulemaking By
Director, OPR**

Issued: October 28, 1982.

I. Background

On September 20, 1982, the Railroad Commission of Texas (Texas) submitted to the Commission a recommendation, in accordance with § 271.703 of the Commission's regulations (45 FR 56034, August 22, 1980), that the Garza Sand, located in Duval County, Texas, be designated as a tight formation. Pursuant to § 271.703(c)(4) of the regulations, this Notice of Proposed Rulemaking is hereby issued to determine whether Texas' recommendation that the Garza Sand be designated a tight formation should be adopted. Texas' recommendation and supporting data are on file with the Commission and are available for public inspection.

II. Description of Recommendation

The recommended formation is located in Duval County, Texas, Railroad Commission District 4. The recommended area is located approximately 3 miles west of Concepcion, Texas. It includes 3,820 acres of the southwest portion of Andres Garcia Heirs Survey, Abstract 657; 415 acres in the southeast corner of Santos Flores Survey, Abstract 213; 6,290 acres in the north half of the R. Ramirez Survey, Abstract 475; and 1,105 acres of the northeast portion of the Marcello Ynojosa Survey, Abstract 628. The Garza Sand is described as being very fine-grained, very silty, shaly and limey.

The Garza Sand lies at depths ranging from -6,700 feet to approximately -7,400 feet subsea. The maximum thickness encountered in any well is 13 feet, in the Sexton Oil & Minerals No. 1 Aminta Garza. Maximum thickness of the sand is estimated at 15 feet.

III. Discussion of Recommendation

Texas claims in its submission that evidence gathered through information and testimony presented at a public hearing in support of this recommendation demonstrates that:

(1) The average *in situ* gas permeability throughout the pay section of the proposed area is not expected to exceed 0.1 millidarcy;

(2) The stabilized production rate, against atmospheric pressure, of wells completed for production from the recommended formation, without stimulation is not expected to exceed the maximum allowable production rate set out in § 271.703(c)(2)(i)(B); and

(3) No well drilled into the recommended formation is expected to produce more than five (5) barrels of oil per day.

Texas further asserts that existing State and Federal regulations assure that development of this formation will not adversely affect any fresh water aquifers that are or are expected to be used as a domestic or agricultural water supply.

Accordingly, pursuant to the authority delegated to the Director of the Office of Pipeline and Producer Regulation by Commission Order No. 97, issued in Docket No. RM80-68 (45 FR 53456, August 12, 1980), notice is hereby given of the proposal submitted by Texas that the recommended portion of the Garza Sand, as described and delineated in Texas' recommendation as filed with the Commission, be designated as tight formation pursuant to § 271.703.

IV. Public Comment Procedures

Interested persons may comment on this proposed rulemaking by submitting written data, views or arguments to the Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before December 13, 1982. Each person submitting a comment should indicate that the comment is being submitted in Docket No. RM79-76-141 (Texas-24) and should give reasons including supporting data for any recommendation. Comments should include the name, title, mailing address, and telephone number of one person to whom communications concerning the proposal may be addressed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Written comments will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C., during business hours.